

00-1-05

2700



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventive Application of: Matthew Peterson et al.

Serial No.: 10/820,382

Group No.: 1625

Filed: 04/08/2004

Examiner: Not Yet Assigned

For: GABAPENTIN COMPOSITIONS

Attorney Docket Number: TPIP039

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
WITHIN THREE MONTHS OF FILING APPLICATION OR BEFORE MAILING OF A
FIRST OFFICE ACTION ON THE MERITS (37 CFR 1.97(b))**

Dear Sir:

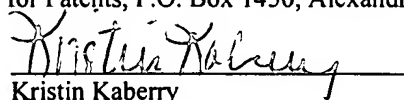
Applicant submits herewith patents, publications or other information of which, in good-faith judgment of the Applicant, may be relevant to the subject matter claimed in the above-identified application and in respect of which, there may be a duty to disclose. Applicant submits these documents in compliance with the duty of disclosure as defined in 37 CFR §1.56, §1.97, and §1.98. The Examiner is requested to make these citations of official record in the present application.

This Information Disclosure Statement is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that these references indeed constitute prior art.

The Information Disclosure Statement transmitted herewith is being filed *after* three months of the filing date of this national application but *before* the mailing date of the first

CERTIFICATE OF MAILING BY EXPRESS MAIL

I hereby certify that under 37 CFR §1.10 that this correspondence is being deposited on February 10, 2005 with the United States Postal Service as Express Mail Post Office to Addressee with sufficient postage in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Kristin Kaberry

Office action on the merits. Accordingly, it is believed that no fees are due in connection with the filing of this Information Disclosure Statement. However, if it is determined that any fees are due, the Commissioner is hereby authorized to charge such fees to Deposit Account No. 502626.

Pursuant to OG Notice dated August 5, 2003, copies of all items listed in Form PTO-1449 are not enclosed as this application was filed after June 30, 2003. Should the Examiner require a copy of a reference listed, the Examiner is invited to contact the undersigned. A copy of a PCT International Search Report from the counterpart application is enclosed. Cumulative patents or publications identified in the attached PCT Search Report are not enclosed.

I hereby certify that each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement.

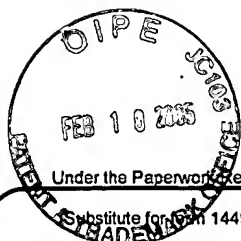
The Applicant respectfully requests that:

- a. The Examiner consider the cited information in reaching a determination concerning the patentability of the pending claims; and
- b. The enclosed Form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

Respectfully submitted,

February 10, 2005
Transform Pharmaceuticals, Inc.
29 Hartwell Avenue
Lexington, MA 02421
Telephone: (781) 674-7948
Facsimile: (781) 863-7208

By: Christopher Olson
Christopher Olson, Patent Agent
Reg. No. 55,510



PTO/SB/08A (08-03)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 3

Complete if Known

Application Number	10/820,382
Filing Date	04/08/2004
First Named Inventor	Matthew Peterson
Art Unit	1625
Examiner Name	
Attorney Docket Number	TPIP039

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 10/660,202		Almarsson et al.	
		US- 3,536,809	10-27-1970	Applezweig	
		US- 3,598,123	08-10-1971	Zaffaroni	
		US- 3,845,770	11-05-1974	Theeuwes et al.	
		US- 3,916,899	11-04-1975	Theeuwes et al.	
		US- 4,008,719	02-22-1977	Theeuwes et al.	
		US- 4,024,175	05-17-1977	Satzinger et al.	
		US- 4,894,476	01-16-1990	Butler et al.	
		US- 5,059,595	10-22-1991	Le Grazie	
		US- 5,073,543	12-17-1991	Marshall et al.	
		US- 5,120,548	06-09-1992	McClelland et al.	
		US- 5,354,556	10-11-1994	Sparks et al.	
		US- 5,591,767	01-07-1997	Mohr et al.	
		US- 5,639,476	06-17-1997	Oshlack et al.	
		US- 5,674,533	10-07-1997	Santus et al.	
		US- 5,733,566	03-31-1998	Lewis	
		US- 6,054,482	04-25-2000	Augart et al.	
		US- 6,132,420	10-17-2000	Dionne et al.	
		US- 6,245,357	06-12-2001	Edgren et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				

Examiner
Signature

Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet **2** of **3****Complete if Known**

Application Number	10/820,382
Filing Date	04/08/2004
First Named Inventor	Matthew Peterson
Art Unit	1625
Examiner Name	
Attorney Docket Number	TPIP039

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 6,255,526	07-03-2001	Pesachovich et al.	
		US- 6,270,787	08-07-2001	Ayer	
		US- 6,283,953	09-04-2001	Ayer et al.	
		US- 6,287,295	09-11-2001	Chen et al.	
		US- 6,333,050	12-25-2001	Wong et al.	
		US- 6,342,249	01-29-2002	Wong et al.	
		US- 6,365,185	04-02-2002	Ritschel et al.	
		US- 6,368,626	04-09-2002	Bhatt et al.	
		US- 6,375,978	04-23-2002	Kleiner et al.	
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)			

Examiner Signature	Date Considered
--------------------	-----------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Complete if Known			
		Application Number	10/820,382		
		Filing Date	04/08/2004		
		First Named Inventor	Matthew Peterson		
		Art Unit	1625		
		Examiner Name			
Sheet	3	of	3	Attorney Docket Number	TPIP039

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		KIM, CHERNG-JU, Controlled Release Dosage Form Design, Technomic Publishing Co., Lancaster, PA, pgs. 231-238 (2000)	

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.